

FEB 26 2003

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Dkt. Price

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CZESLAW MAZUR

Serial No.: 09/911,347

Filed: July 24, 2001

For: FISHING APPARATUS

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The above-identified application was held to be abandoned in the attached Notice of Abandonment mailed September 9, 2002, based on failure to timely or properly reply to the Notice to File Missing Parts mailed on May 1, 2002. Copies of both of these documents are enclosed.

On August 31, 2002, a response to the Notice of Incomplete Non-Provisional Application mailed May 1, 2002, was deposited in the U.S. Mail in Los Angeles, California, that response including a new specification including claims and an abstract, two sheets of drawings, a declaration and a Power of Attorney. Moreover, the response included a certificate of

mailing signed by Gerald L. Price and an explanation that no extension of time fee was due because the Applicant erroneously paid the full fee when he filed the application, although he was entitled to a small entity filing fee. Copies of the papers placed in the mail on August 31, 2002, are attached hereto.

Also attached hereto is 1) a substitute specification in which the claims and abstract are on separate pages in accordance with U.S. Patent and Trademark Office requirements, and 2) a Power of Attorney to the undersigned. The substitute specification contains no new matter.

Based upon the above showing that the response to the Notification of Incomplete Application was timely mailed, withdrawal of the holding of abandonment of the above-identified application is requested.

Respectfully submitted,



Ira J. Schultz
Registration No. 28666

Gerald L. Price
2161 Argyle Avenue
Hollywood, CA 90068-2901
(323) 627-6255


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
[www.uspto.gov](http://uspto.gov)

APPLICATION NUMBER	FILED DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO. 1777A
09/911,347		Czeslaw Mazur	

CZESLAW MAZUR
138 MONTEREY RD
ORANGE, CA 92866

CONFIRMATION NO. 3491
ABANDONMENT/TERMINATION
LETTER

000000000000261320

Date Mailed: 09/09/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/01/2002.

- The reply received on 01/22/2002 was untimely.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



O P E R A T I O N
FEB 26 2003
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,347	07/24/2001	Czeslaw Mazur	

CONFIRMATION NO. 3401

FORMALITIES LETTER



OC00000008001748

Date Mailed: 05/01/2002

CZESLAW MAZUR
138 MONTEREY RD
ORANGE, CA 92866
734 W LA JOLLA APT. 205
PLACENTIA CA 92870

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.

A copy of this notice MUST be returned with the reply.

Lorna J. Sato

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

O P T
FEB 26 2003

IN THE UNITED STATES PATENT and TRADEMARK OFFICE

Applicant: CZESLAW MAZUR

Application Number: UNASSIGNED 09/1911,347

CONFIRMATION NO. 3401

RESPONSE

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

In response to the Office letter of 05/01/02 applicant encloses a complete specification including a declaration and newly executed oath. Official drawings will be submitted upon the indication of allowable claims. *Please cancel all previous specification.*

REMARKS

The applicant erroneously paid the full fee when in fact he is a small entity and then also paid an additional \$55 to extend the within period for response. Please credit the client's account for any over payment and apply same to this application as applicable.

Glen L. Price Reg# 22920
Gerald L. Price
2161 Argyle Avenue
Hollywood, CA 90068-2901
(323) 467-7399 voice/fax
Attorney for applicant
August 31, 2002

I hereby declare under penalty of perjury that I deposited the response in the U.S. Mail on Aug 31, 2002 at Los Angeles, CA. ~~CA~~

Glen L. Price